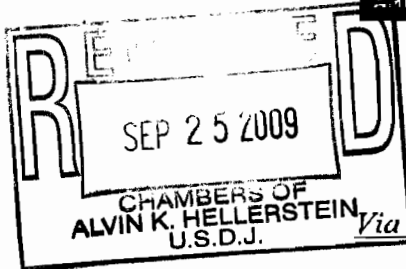
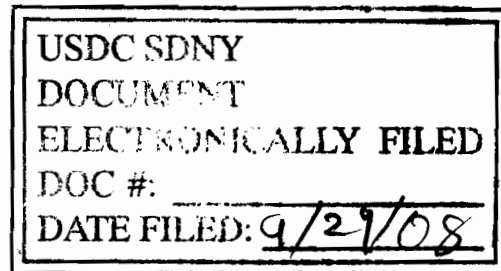


NATIONAL SECURITY PROJECT



September 25, 2009

Via Facsimile and Fedex

The Hon. Alvin K. Hellerstein
 Daniel Patrick Moynihan
 United States Courthouse
 500 Pearl Street, Room 1050
 New York, NY 10007

*So ordered
 9/29/09
 Alvin K. Hellerstein*

Re: *Am. Civil Liberties Union v. Dep't of Def.*, No. 1:04-CV-4151

AMERICAN CIVIL LIBERTIES
 UNION FOUNDATION
 NATIONAL OFFICE
 125 BROAD STREET 18TH FL
 NEW YORK, NY 10004-2400
 1-212-549-2500
 WWW.ACLU.ORG

OFFICERS AND DIRECTORS
 SUSAN N. HERMAN
 PRESIDENT

ANTHONY D. ROMERO
 EXECUTIVE DIRECTOR

RICHARD ZACKS
 TREASURER

Dear Judge Hellerstein,

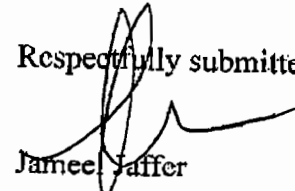
On September 1, 2009, Plaintiffs requested an extension until September 25, 2009 to confer with the government regarding any further proceedings related to the documents remanded to this Court for consideration by the Second Circuit, and to then notify the Court of how the parties proposed to address any additional challenges to the withholding or redaction of those documents.

Since that time, the government has identified approximately 224 additional, potentially responsive documents (some of which might be duplicative of documents already processed) that fall within the same or similar categories as the remanded documents. The government has proposed to process those documents in an expedited manner.

In the interest of efficiency, Plaintiffs propose challenging any withholding or redaction of these additional documents in the same briefing that addresses the withholding and redaction of the remanded documents. Plaintiffs therefore request a second extension of time within which to consult with the government and notify the Court of how the parties propose addressing any challenges to the withholding or redaction of the remanded *and* additional documents. Plaintiffs request an extension until four weeks after the government furnishes *Vaughn* declarations and/or indices for the additional documents.

The government consents to this request.

Respectfully submitted,


Jameel Jaffer

Counsel for Plaintiffs

cc: Sean Lane
Peter Skinner
Heather McShain

AMERICAN CIVIL LIBERTIES
UNION FOUNDATION